

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
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PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Applicant's or agent's file reference 2876/14		Date of mailing (day/month/year) <u>14 MAR 2006</u> FOR FURTHER ACTION See paragraph 2 below	
International application No. PCT/IL04/00928	International filing date (day/month/year) 10 October 2004 (10.10.2004)	Priority date (day/month/year) 03 October 2003 (03.10.2003)	
International Patent Classification (IPC) or both national classification and IPC IPC: G06F 7/04 (2006.01) USPC: 726/26			
Applicant NPX TECHNOLOGIES LTD.			

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application


2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201	Date of completion of this opinion 11 February 2006 (11.02.2006)	Authorized officer  Ayaz R Sheikh Telephone No. 571-272-3793
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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/IL04/00928

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:

- ☒ the international application in the language in which it was filed
☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing
☐ table(s) related to the sequence listing

b. format of material

- ☐ on paper
☐ in electronic form

c. time of filing/furnishing

- ☐ contained in the international application as filed.
☐ filed together with the international application in electronic form.
☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/IL04/00928

Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)

Claims NONE YES

Claims 1-21 NO

Inventive step (IS)

Claims NONE YES

Claims 1-21 NO

Industrial applicability (IA)

Claims 1-21 YES

Claims NONE NO

2. Citations and explanations:

Please See Continuation Sheet

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

V. 2. Citations and Explanations:

Claims 1-20 lack novelty under PCT Article 33(2) as being anticipated by Hillmer et al.

As to claim 1, Hillmer et al discloses a method of determining a reliability of a transaction involving an account identifier identifying a chargeable account, the method comprising:

- a) receiving the account identifier;
- b) providing at least one reliability indicator indicating an estimated likelihood that at least one stored personal detail associated with the chargeable account was submitted fraudulently.

As to claim 2, Hillmer et al discloses the method further comprising:

- c) providing at least one the stored personal detail.

As to claim 3, Hillmer et al discloses the method further comprising:

- c) comparing at least one candidate personal detail to at least one the stored personal detail.

As to claim 4, Hillmer et al discloses that at least one the reliability indicator is based on at least one piece of information selected from the group consisting of a time at least one the stored personal detail was received. Hillmer et al discloses the identification procedure performed upon receipt of at least one the stored personal detail, and the degree of personal exposure of an entity submitting at least one the stored personal detail.

As to claim 5, Hillmer et al discloses that a more recent the receiving increases the estimated likelihood that at least one the stored personal detail was submitted fraudulently.

As to claim 6, Hillmer et al discloses that a lower degree of the personal exposure increases the estimated likelihood that at least one the stored personal detail was submitted fraudulently.

As to claim 7, Hillmer et al discloses that submission of at least one the stored personal detail using the Internet increases the estimated likelihood that at least one the stored personal detail was submitted fraudulently.

As to claim 8, Hillmer et al discloses that submission of at least one the stored personal detail in person decreases the estimated likelihood that at least one the stored personal detail was submitted fraudulently.

As to claim 9, Hillmer et al discloses that at least one the reliability indicator is based on the identification procedure and a presentation of a verifying item upon submission of at least one the stored personal detail decreases the estimated likelihood that at least one the stored personal detail was submitted fraudulently.

As to claim 10, Hillmer et al discloses that the verifying item is selected from the group consisting of government issued identification, a hand signature and biometric information.

As to claim 11, Hillmer et al discloses the method further comprising:

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

c) carrying out fraud prevention measures based upon provided the at least one reliability indicator.

As to claim 12, Hillmer et al discloses that the fraud preventing measures are selected from the group consisting of making a phone call to a verified phone number, sending an email to a verified email address, and physically sending an item to a verified street address.

As to claim 13, Hillmer et al discloses the method further comprising:

d) authorizing or denying a transaction based upon provided the at least one reliability indicator.

As to claim 14, Hillmer et al discloses that the at least one stored personal detail is selected from the group consisting of account owner's name, a street address, a billing address, an additional address, a phone number, an email address, a government-issued identifier, a mother's maiden name, a social security number.

As to claim 15, Hillmer et al discloses the method further comprising:

c) combining a plurality of the reliability indicators to obtain at least one combined reliability indicator.

As to claim 16, Hillmer et al discloses a verification system for determining a reliability of a transaction involving an account identifier identifying a chargeable account, the system comprising:

a) a data receiving unit configured to receive data selected from the group consisting of the account identifier and at least one candidate personal detail;

b) a reliability indicator provider for providing at least one reliability indicator indicating an estimated likelihood that at least one stored personal detail associated with the chargeable account was submitted fraudulently.

As to claim 17, Hillmer et al discloses the system further comprising

c) a data output unit configured to output data selected from the group consisting of the at least one reliability indicator and at least one the stored personal details.

As to claim 18, Hillmer et al discloses the system further comprising:

c) a chargeable account database for storing data selected from the group consisting of at least one the stored personal detail, at least one candidate personal detail, at least one the account identifier, and at least one the reliability indicator.

As to claim 19, Hillmer et al discloses that the reliability indicator provider includes a combining module for combining a plurality of the reliability indicators to produce a combined reliability indicator.

As to claim 20, Hillmer et al discloses the system further comprising:

c) a comparison module, for comparing at least one the candidate personal detail with at least one the stored personal detail.

As to claim 21, Hillmer et al discloses the system of claim 17 further comprising:

d) a comparison module, for comparing at least one the candidate personal detail with at least one the stored personal detail wherein the data output unit is further configured to send results of the comparison.

Claims 1-21 meet the criteria set out in PCT Article 33(4), and thus meet industrial applicability because systems and methods for determining a reliability of a transaction involving an account identifier identifying a chargeable account can be made or used in industry.

NOTES TO FORM PCT/ISA/220 (continued)

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

The following examples illustrate the manner in which amendments must be explained in the accompanying letter:

1. [Where originally there were 48 claims and after amendment of some claims there are 51]:
"Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
2. [Where originally there were 15 claims and after amendment of all claims there are 11]:
"Claims 1 to 15 replaced by amended claims 1 to 11."
3. [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]:
"Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or
"Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
4. [Where various kinds of amendments are made]:
"Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added."

"Statement under Article 19(1)" (Rule 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

It must be in the language in which the international application is to be published.

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

Consequence if a demand for international preliminary examination has already been filed

If, at the time of filing any amendments and any accompanying statement, under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the time of filing the amendments (and any statement) with the International Bureau, also file with the International Preliminary Examining Authority a copy of such amendments (and of any statement) and, where required, a translation of such amendments for the procedure before that Authority (see Rules 55.3(a) and 62.2, first sentence). For further information, see the Notes to the demand form (PCT/IPEA/401).

If a demand for international preliminary examination is made, the written opinion of the International Searching Authority will, except in certain cases where the International Preliminary Examining Authority did not act as International Searching Authority and where it has notified the International Bureau under Rule 66.1bis(b), be considered to be a written opinion of the International Preliminary Examining Authority. If a demand is made, the applicant may submit to the International Preliminary Examining Authority a reply to the written opinion together, where appropriate, with amendments before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later (Rule 43bis.1(c)).

Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see the *PCT Applicant's Guide*, Volume II.